

**OFFICIAL MINUTES OF THE
WEBB COUNTY COMMISSIONERS COURT
MEETING OF JUNE 24, 2002
LAREDO, TEXAS**

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

Mercurio Martinez, Jr.
Judith Gutierrez
Jerry Vasquez
Felix Velasquez
Miguel Urdiales

County Judge
Commissioner Prct. #1
Commissioner Prct. #2
Commissioner Prct. #3
Commissioner Prct. #4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the agenda as posted in the meeting notice of the 20th of June 2002. Present were Ms. Selina G. Reyes, Deputy County Clerk, representing Mr. Henry Flores, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the court.

02-06-203

1. Call to order – Judge Martinez
Invocation – Commissioner Vasquez
Pledge of Allegiance – said by all

02-06-204

2. Approval of Minutes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve the minutes as submitted.

9:32 a.m.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to go into Executive Session for the following item:

10. – j. } Action regarding Civil Action No. L-01-132; Rosa Saldivar, individually and on behalf of the Estate of Juan Saldivar, deceased; Juan Saldivar, Jr.; and Rosa Lydia Saldivar vs. Webb County, Texas; Webb County Sheriff Juan Garza; in The United States District Court for the Southern District of Texas, Laredo Division.

10. – i. } Action regarding termination of operation’s agreement with Prisoner Realty Trust d/b/a Corrections Corporation of America due to default in performance of conditions of the Agreement, and any matters incident thereto.

*****EXECUTIVE SESSION*****

10:10 a.m.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

10. – i. } No action needed. Status report.

10. – j. } A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to authorize settlement as discussed in Executive Session.

03-06-205

3. Communications –

Judge Martinez informed the public that the County of Webb would change telephone numbers effective July 1, 2002.

Mr. John Castro, President Students in Democratic Action came before the court to address the **Living Wage**.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to move up item 6. – f. (3.):

Living Wage –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the **Living Wage** of no less than \$ 8.25 an hour for Webb County Employees.

02-06-206

4. Bills, Payroll and Monthly Reports –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to accept all reports as submitted.

02-06-207

5. Proclamations/Resolutions –

None at this time.

02-06-208

6. – a. & b. Line Item Transfers -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the following line items:

District Clerk –

From: acct. 001-111-6205 (materials/supplies) \$ 250.00

To: acct. 001-1111-6402 (repairs/maint.) \$ 250.00

County Court at Law II –

From: acct. 001-1011-6402 (equip.maint.) \$ 600.00

6005 (postage) \$ 200.00

Total \$ 800.00

To: acct. 001-1011-6205 (mat.supplies) \$ 800.00

6. – c. Public Defender-

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to fill slot #270 (Attorney) at an annual salary of \$ 52,083.00 effective 6/26/02.

6. – d. Tax Assessor-Collector –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve refund as follows:

Eluterio Garza

Reason: Exempt Property as of 1/1/2001

Total Refund: \$ 1,281.04

6. – e. Risk Management –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to enter into a Professional Services Agreement with Maximus, Inc., to provide property appraisals for Webb County properties required to obtain renewal proposals for the Property-Casualty Insurance package for Fy 2002-2003 and requesting an exemption from Section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and County Judge to

sign all documents.

6. – g. Head Start –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to fill the following slots:

Slot # 2020,2021,2022 and 2023 (AA Teachers) at \$ 855.86 Bi-weekly effective June 30, 2002.

Slot # 2022,2025,2026 and 2027 (CDA Teachers Assistants) at \$ 586.99 Bi-Weekly effective June 30, 2002.

Slot # 1694, 1800 and 1801 (Substitutes) 15 hours a week at \$ 6.76 and hour effective June 30, 2002.

6. – h. Community Action Agency –

1. – 3.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve the following items:

Fill slot #1856 (Delivery Driver-P/T) at \$ 9.25 an hour effective 6-24-2002 (Funding – Meals on Wheels Program – No impact on the General Fund) and;

Fill slot# 1849 (Center-Aide-P/T) at \$ 7.00 an hour effective June 24, 2002 (Funding-Community Services Block Grant Program – No impact on General Fund) and;

Approve “Job Access/Reverse Commute (J.A.R.C.) Grant” application to TXDOT in the amount of \$ 250,000 for Fiscal Year 2002-2003 for the Rural Transportation Department (this is the first time El Aguila will be applying for such a grant. If awarded, it will allow El Aguila to extend its evening services two additional hours and extend further routes to the rural areas for job access to business, universities, etc... In kind match of \$ 100,000 will come from existing fleet and labor resources.

6. – i. Planning Department -

1. – 3.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to fill slot #1507 at \$ 9.00 an hour effective July 5, 2002 and;

Issue “Certifications regarding compliance with Plat requirements” and the connection of utilities” to authorize utility connections to the following properties:

Connections qualifying under Section 232.029(i)

· Lot 41, Ranchitos 359 East Subdivision (electricity – one dwelling)

· Lot 31, Ranchitos Los Arcos Subdivision (electricity one dwelling) and;
Issue a “Certificate of no plat required” pursuant to the exemption provision
of the Webb County Subdivision regulations under Sec. XVI, Subsection 1.A (2)
to **Cingular Wireless** located at 53103 Eagle Pass Road for a 0.230 of an acre
out of 3825.37 acre tract more or less, out of Jose Cruz Survey, Survey 1840,
abst. 2974, as further described in Volume 1401 Page 637 of the Webb County
Deed Records.

02-06-209

7. – b. Contract / Naismith Engineering –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve a 90 day extension on the contract with Naismith Engineering for Right Of Way Acquisition on Highway 359 Colonias (Funded by TDHCA/TCDP contract # 721105 and by Webb County Bonds).

7. – c. Regional Wastewater Treatment Plat –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to authorize the County Judge to sign the Regional Wastewater Treatment Plat (the 22.83 Acre tract where Webb County’s Regional Waste Water Treatment Plat is located inside the city limits of the City of Laredo. The WWTP is being expanded from 650,000 to 1,500,000 gallons per day. The property must be platted to meet city ordinances. The Planning and Zoning Commission of the City of Laredo approved the plat on May 16, 2002).

02-06-210

8. – a. Economic Development –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve a 6 months extension to June 30, 2003 for the Lease Agreement between Webb County Community Action agency and Graciela Rocha for the Webb county self-Help Center Building , Lot 4, Block 7 in Colonia Los altos.

8. – b., c., d.

A motion was made by Commissioner Gutierrez and seconded by Judge Martinez with all voting “Aye”, in favor to approve the following items:

From: acct.# 001-0104-6005 (postage) \$ 500.00
To: acct. # 001-0104-5602 (mileage) \$ 500.00 and;

Accept recommendations from the Webb County Housing Rehabilitation Selection/Scoring Committee on the following eligible applicants (Homeowners) to receive assistance under the HUD Housing Colonia Initiatives Grant Program for housing Rehabilitation:

- Roberto Cabrera – El Cenizo
- Jorge Santos – El Cenizo
- Gregoria Saucedo – El Cenizo
- J. Carmen Segura – El Cenizo

Approve a resolution authorizing the following County Officials to be designated as authorized signatories for Webb County, Texas Community Development Program TCDP Contract # 721003 (Webb County Self-Help Program):

Mercurio Martinez, Jr., Webb County Judge
Judith G. Gutierrez, Commissioner Pct. #2
Gerardo “Jerry” Vasquez , Commissioner Pct.#1

02-06-211

9. – a. Purchasing Agent –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to accept the Certificate of substantial completion from Leyendecker Construction Company for the Webb County Administration Building.

** As of June 14, 2002.

9. – b. Drug Testing Materials –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to purchase drug testing materials for Webb County Community Supervision and Corrections Department from Abbott Inc., on the amount of \$ 5,220.34 (fund # 075-1202-6207).

9. – c. Deferred Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to defer this item:

Action to accept the Certification of Substantial Completion from Sunbelt

Air Conditioning Company for the Webb County Chiller Plat.
9. – d. Purchase Hot Mix –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to purchase 200 tons of hot mix asphalt type “D” from Brothers Materials LTD., in the amount of \$ 6,000 for the Road & Bridge Department (fund# 01-7002-6205).

9. – e. Award Bid 2002-57 –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to award the following the bid:

2002-57 “Webb County School Lands for Grazing and Hunting” to Mr. Seymon Deutsch

9. – f. Purchase Filing Units –

A motion was made by Commissioner Velasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to purchase two (2) Lektrivers Electeromechanical filing units for the New Administration Building from Records Systems, Inc., in the amount to \$ 42,377.00 (fund # 6148000-8601) for the following departments:

Public Defender \$ 19,125
County Attorney \$ 23,252

02-06-212

10. – a. InterLocal Agreement –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to enter into a Interlocal Government Agreement with United Independent School District for the lease of property for a Head Start Program Center to be located at Los Obispos Middle School situated in Laredo, Webb County, Texas. The lease term is for five (5) years commencing on August 1, 2002 and ending July 31, 2007, at an annual rental fee of one dollar (\$1.00) and authorize the County Judge to execute any and all relevant documents.

10. – b. Order / By Laws Webb County Community Action Agency –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve by Order of the Webb County Commissioners Court, the By Laws of the Webb County Community Action Agency governing the agency’s advisory board and any matters incident thereto.

10. – c. Non Financial Cooperative Agreement –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to enter into a three (3) month (June 1, 2002 through August 31, 2002) Non-Financial Cooperative Agreement for the Webb County Community Action Agency with the South Texas Council on Alcohol and Drug Abuse(S.T.C.A.D.A.) to allow S.T.C.A.D.A. to provide alcohol and drug abuse services as well as STD/HIV/HCV prevention services for referrals made by the Webb County Community Action Agency to S.T.C.A.D.A. during the term of the Agreement and authorizing the County Judge to execute all relevant documents.

10. – d. Purchase and Consulting Agreements / Sirius Computer Solutions, Inc. – & e.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to enter into a Purchase Agreement with Sirius Computer Solutions, Inc., for the purchase of one IBM Mainframe Series 400 computer as awarded by the Commissioners Court on June 10, 2002 at a cost of \$ 279,310.00 and authorizing the County Judge to execute all relevant documents and;

Enter into a Consulting Services Agreement with Sirius Computer Solutions, Inc., for installation of software and migration of data to the IBM Mainframe Series 400 computer at a cost of \$ 4,500.00 and authorizing the County Judge to execute all relevant documents.

10. – f. Service Agreement / SBC Gobal Services, Inc. –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to enter into a 36 month Service Agreement With SBC Gobal Services, Inc., for the installation and rent of a “Select Data (T1) line for a monthly cost of \$ 355.00 and authorizing the County Judge to execute all relevant documents.

10. – g. Reimbursement Contract / Texas Parks & Wildlife –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to enter into a Reimbursement Contract with Texas Parks and Wildlife Department for the Community Outdoor Outreach Program in the amount of \$ 22,000.00 for the Webb County Co-op Project through November 15, 2003 and authorizing the County Judge to execute all relevant documents (This program has been in existence for four years. This new contract represents the third funding Cycle. The grant provides funds for trips for under privileged children to state parks.

10. – h. Construction Contract / Caldwell Tank’s Inc. –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to enter into a construction of the Oilton elevated water storage tank in the amount of \$ 316,900.00 subject to modifications to the proposed contract documents regarding dispute resolution (arbitration), insurance coverage, county indemnification, and other legal provisions as may be deemed necessary by the County Attorney and authorizing the County Judge to execute all relevant documents.

**file for record with the County Clerk.

11:22 a.m.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to go into Executive Session for the following item:

- 7. – a. } Action to approve the conditions of the Agreement between the City of Laredo and Webb County in relation to the Chacon Creek Sewer interceptor and the County Golf Course.

*****EXECUTIVE SESSION*****

11:55 a.m.

The court returned to regular session and Judge Martinez stated that no action was taken in Executive Session.

7. – a. –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to authorize the County Attorney along with the County Engineer and Golf Course Operator to continue negotiations with the City of Laredo in reference to this project.

6. – f. Webb County Judge and Commissioners

1.

A motion was made by Commissioner Velasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to accept staff recommendations with “fine tuning” and designate and approve projects to be funded with proposed Certificates of Obligation or bonds for Fiscal Year 2002, including but not limited to, proposed expenditures for each project and any matters incident thereto.

2.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve Order Authorizing Publication of Notice of Intention to Issue Certificates of Obligation and other matters incident thereto.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to adjourn the meeting.

